IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

ARBITRATION PETITION NO.397 OF 2006

Rakesh M. Gupta ...Petitioner

v/s

Sunil M. Gupta and others ...Respondents

Mr R.D. Dhanuka i/b Mrs A.R. Dhanuka for Petitioner.

Mr Pradip Sancheti i/b Mr A.A. Jain for Respondent No.1.

CORAM : D.K. DESHMUKH J.

DATE : 16TH OCTOBER 2006.

P.C. :-

1. The learned counsel appearing for petitioner at the outset states that the only interim order that he is pressing for in this petition is for implementation of the interim order passed by the learned Arbitrator dated 31st May 2005. He submits that he is withdrawing prayers made by him in the petition for other interim reliefs with liberty to make those prayers before the Arbitral Tribunal. The prayers are permitted to be withdrawn with the aforesaid liberty. So far as the interim order passed by the Arbitral Tribunal dated 31st May 2005 is concerned, the leaned counsel appearing for respondent No.1 states that so far as arrears of the amount payable under the order dated 31st May 2005 are concerned, an amount of Rs.1,00,000/- would be paid by the respondent No.1 to the petitioner within a period of two weeks from today and the remaining amount shall be paid by the respondent No.1 to the petitioner within a period of three months from today. The learned counsel further states that so far as the monthly payment is concerned, the respondent No.1 shall make monthly payment promptly as per the order. The statement is accepted. It is made clear that in case the respondent No.1 commits any default in payment of the amount in arrears, the Arbitrator strike of the defence of the

respondent No.1. Petition is disposed off.

. Parties to act on the copy of this order duly authenticated by the Associate / Private Secretary as true copy.

. Certified copy expedited.